

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

I hereby certify that this transmittal of the below described document is being deposited with the United States Postal Service in an envelope bearing First Class Postage and addressed to the Commissioner for Patents P.O. Box 1450, Alexandria, VA 22313-1450, on the below date of deposit.

Date of Deposit:	11/29/07	Name of Person Making the Deposit:	Bryan M. Failing	Signature of the Person Making the Deposit:	BMR
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In re Application of: Miller, et al.

Application No.: 09/924,671

Examiner: Greimel, Jocelyn

Filed: 08/07/2001

Art Unit: 3693

Confirmation No.: 3662

For: A METHOD AND SYSTEM FOR IMPLEMENTING AUTOMATIC AUCTION EXTENSIONS AND ADJUSTABLE BID INCREMENTS IN AN ELECTRONIC EXCHANGE

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**AMENDMENT TRANSMITTAL**

1. Transmitted herewith is an amendment for this application

☒ Transmitted herewith is a response to an office action for the above identified patent application.  
( 12 sheets)  
☐ Transmitted herewith are \_\_\_\_\_ sheets of substitute formal drawings.  
☐ Other:

2. Applicant is other than a small entity

**Extension of Term**

3. The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136 apply.

(a) ☐ Applicant petitions for an extension of time under 37 C.F.R. 1.136  
(fees: 37 C.F.R. 1.17(a)-(d) for the total number of months checked below:)

Extension	Fee
<input type="checkbox"/> one month	\$120.00
<input type="checkbox"/> two months	\$450.00
<input type="checkbox"/> three months	\$1,020.00
<input type="checkbox"/> four months	\$1,590.00
<input type="checkbox"/> five months	\$2,160.00
	<b>Fee \$</b> _____

If an additional extension of time is required, please consider this a petition therefor.

(b) ☒ Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.

**Fee Calculation**

4. The fee for claims (37 C.F.R. 1.16(b)-(d)) has been calculated as shown below:

<b>(for other than a small entity)</b>					
Fee Items	Claims Remaining After Amendment	Highest Number of Claims Previously Paid For	Present Extra Claims	Fee Rate	Total
Total Claims	18	- 20 =	0	x \$50.00	\$
Independent Claims	3	- 3 =	0	x \$200.00	\$
Multiple Dependent Claim Fee (one or more, first added by this amendment)				\$360.00	\$
<b>Total Fees</b>					<b>\$</b>

**PAYMENT OF FEES**

5. The full fee due in connection with this communication is provided as follows:
- [ X ] The Commissioner is hereby authorized to charge any additional fees associated with this communication or credit any overpayment to Deposit Account No.: 50-4160.  
A duplicate copy of this authorization is enclosed.
- [ ] A check in the amount of \$
- [ ] Charge any fees required or credit any overpayments associated with this filing to Deposit Account No.: 50-4160.

Please direct all correspondence concerning the above-identified application to the following address:

**MURABITO, HAO & BARNES LLP**  
Two North Market Street, Third Floor  
San Jose, California 95113  
(408) 938-9060  
Customer No: 45591

Respectfully submitted,

Date: November 29, 2007

By: Bmf  
Bryan M. Failing  
Reg. No. 57,974



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Application No.: 09/924,671

Filing Date: 8/7/01

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IMPLEMENTING AUTOMATIC  
AUCTION EXTENSIONS  
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INCREMENTS IN AN  
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Examiner: Greimel, J.

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RESPONSE TO NON-FINAL OFFICE ACTION

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In response to the Office Action mailed August 29, 2007 for the above captioned patent application, Applicants respectfully request entry of the following amendments and consideration of the following remarks.